

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

MERCY HOSPITAL, IOWA CITY, IOWA, *et al.*,

Debtors.

Chapter 11

Case No. 23-00623 (TJC)

(Jointly Administered)

Re: Docket Nos. 228, 355

**SUPPLEMENTAL DECLARATION OF ANDREW H. SHERMAN
IN CONNECTION WITH THE RETENTION AND EMPLOYMENT OF
SILLS CUMMIS & GROSS P.C. AS CO-COUNSEL FOR THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

I, Andrew H. Sherman, make this declaration (the “Declaration”) pursuant to 28 U.S.C.

§ 1746:

1. I am a resident of New Jersey and a Member of the law firm Sills Cummis & Gross P.C. (“Sills”), with primary offices located at One Riverfront Plaza, Newark, NJ 07102. I am authorized to make this Declaration on behalf of Sills. Unless otherwise stated, I have personal knowledge of the facts set forth herein.

2. On September 14, 2023, the Official Committee of Unsecured Creditors (the “Committee”) of the above-captioned debtors (the “Debtors”) filed the *Application to Retain and Employ Sills Cummis & Gross P.C. as Co-Counsel for the Official Committee of Unsecured Creditors, Effective as of August 18, 2023* [Docket No. 228] (the “Application”). In support of the Application, the *Declaration of Andrew Sherman in Support of Application to Retain and Employ Sills Cummis & Gross P.C. as Co-Counsel for the Official Committee of Unsecured Creditors, Effective as of August 18, 2023* was attached as Exhibit B, (the “Initial Declaration”).

3. On October 12, 2023, the Court entered the *Order Granting Application to Retain and Employ Sills Cummis & Gross P.C. as Co-Counsel for the Official Committee of Unsecured Creditors, Effective as of August 18, 2023* [Docket No. 355].

4. I submit this Declaration to update the disclosures set forth in the Initial Declaration as follows:

- (a) Berkeley Research Group, LLC (“BRG”) has been retained in these chapter 11 cases as financial advisor to Preston Hollow Community Capital, Inc., as Bondholder Representative.
- (b) In March 2022, BRG retained Sills to represent BRG in connection with a fee dispute relating to BRG’s role as the financial advisor to the official committee of tort claimant creditors in the chapter 11 case of *The Diocese of Camden, New Jersey*, Case No. 20-21257 (JNP) (Bankr. D.N.J. 2020) (the “Camden Case”), a matter which, to the best of my knowledge, information, and belief, is unrelated to these chapter 11 cases.
- (c) Sills most recently invoiced BRG in the Camden Case in November 2022. As of the petition date in these chapter 11 cases, I was not aware of any continuing work being performed by Sills on behalf of BRG in the Camden Case. On the date hereof, however, I learned that BRG recently reached out to another Sills member and attorney for assistance with reviewing and filing BRG’s final fee application and a notice of rate increase in the Camden Case.

5. Sills does not believe the foregoing presents any conflict of interest or affects its status as a disinterested person, but discloses the connection in an abundance of caution.

6. I understand that there is a continuing duty to disclose any adverse interest or change in disinterestedness. Sills will from time to time review its disclosures in these chapter 11 cases, and in the event that additional material connections are discovered, will disclose such information to the Court on notice to parties-in-interest and the United States Trustee.

I certify that, to the best of my knowledge after reasonably inquiry, the foregoing is true and correct.

Dated: March 21, 2024
Newark, New Jersey


Andrew H. Sherman